



Docket No. 1719.0370000 (PT-037)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2600

Applicant(s): Sahai, Shankar

Certificate of Mailing Under 37 CFR §1.8


Serial No.: 09/737,583

I hereby certify that this paper and all enclosures referred to therein is being deposited with the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box. 1450, Alexandria, VA 22313-1450, on October 10, 2003.

Filed: December 18, 2000

Title: System, method and computer program product for conveying presence information via voice mail

Name of Person Making Deposit: Michael McGuire


Signature

RECEIVED

OCT 20 2003

Examiner: Scott L. Weaver

Technology Center 2600

Art Unit: 2645

**PETITION TO WITHDRAW HOLDING
OF ABANDONMENT**

MS Petition
Commissioner For Patents
Alexandria, VA 22313-1450

Copies

Sir:

With respect to the Notice of Abandonment mailed on August 12, 2003, Applicant respectfully petitions for reconsideration of the holding of abandonment of the above-identified application on the basis that there is no abandonment in fact. In support of this petition, Applicant submits evidence as follows:

In response to the Office Action mailed on December 31, 2002, Applicant on March 31, 2003 submitted an Amendment and Response via facsimile, and received an Auto-Reply Facsimile Transmission confirming timely receipt of the submission. Applicant encloses copies of the Amendment and Response as filed and of the Auto-Reply Facsimile Transmission.

Applicant has now discovered that the heading to the Amendment and Response contained an error in the Serial Number, which was inadvertently identified as 09/737,483,


whereas the correct number is 09/737,583. However, Applicant notes that the Amendment and Response additionally identified the application by the Attorney Docket number, inventor name, filing date, title, Examiner name and Group Art Unit, and that the facsimile cover identified the name of the Examiner and Art Unit to which the submission should be delivered, so that Applicant believes the submission contained ample information to identify the application to which the submission pertains.

In light of the enclosed documents indicating a timely filing of a Response to the Office Action, Applicant respectfully requests that the application be reinstated and returned to the Examiner for continued examination.

Applicant believes no fee is due for submitting this Petition. If a fee is due, however, please charge such fee to Skadden, Arps, Slate, Meagher & Flom LLP Deposit Account No. 19-2385.

Respectfully submitted,

Date: October 10, 2003

By 

Andrew Strobert Reg. No. 35,375

Skadden, Arps, Slate, Meagher & Flom LLP
Four Times Square
New York, NY 10036
(212) 735-3000

Enclosures